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In re Patent No. 6,210,320
Issued: April 3, 2001
Application No.: 09/053,346
Filing Date: April 1, 1998
Attorney Docket No.

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This is a request for information in response to the communication filed March 26, 2012.

Petitioner is allowed a non-extendable period for reply of **TWO (2) MONTHS** from the mailing date of this communication to provide a response. The response should be titled, "Response to Request for Information." If no response is provided within the period set forth, a decision will be made solely on the merits as set forth in previous filings. No additional fees are due.

The patent issued April 3, 2001. The 3.5 year maintenance fee could have been paid from April 3, 2004, through October 3, 2004, or with a surcharge, as authorized by 37 CFR 1.20(h), during the period from October 4, 2004, to April 3, 2005. Petitioner did not do so. Accordingly, the patent expired at midnight on April 3, 2005. It is noted that the period for paying the 7.5-year maintenance fee has also passed.

Petitioner is required to address the following points:

- It is noted the petitioner states that Mrs. Rogone was the person designated to “take care of the patent maintenance.” Yet, petitioner also states that the duties of the remaining staff sometimes overlapped because patentees’ business operation was small. It is further noted that petitioner maintains that the hardships of Mrs. Rogone and the other staff members contributed in some way to the failure to pay the 3.5-year and 7.5-year maintenance fees. Given the aforementioned, it is requested that petitioner provide statements from the members of the staff that were employed during the relevant period wherein they elaborate on their understanding of the business routine for tracking and paying the maintenance fees. The statements offered in the filing made August 26, 2011, are noted, but speak generally of the hardships that befell Small Beginnings. The statements to be filed should focus only on the staff members understanding of the business routine for tracking and paying the maintenance fees and their involvement in that process, if any.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patent
Mail Stop Petitions
Box 1450
Alexandria, VA 22313-1460

By facsimile: (571) 273-8300
Attn: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3222.

/Kenya A. McLaughlin/

Kenya A. McLaughlin
Petition Attorney
Office of Petitions

cc:

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